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BOOK REVIEWS.

GEORGE W. JAKES, *Editor-in-Charge*.

HANDBOOK ON AMERICAN MINING LAW. By GEORGE P. COSTIGAN JR. St. Paul, Minn.: WEST PUBLISHING Co., 1908. pp. xiv, 765.

As stated in the preface the author's purpose in writing this book was to present a work that might be of use to both the student and the practitioner. As a teacher of law Mr. Costigan is peculiarly fitted to accomplish his object to aid the student in the study of mining problems. While we might criticize the work as being perhaps too long to present concisely the basic principles underlying the subject—and for that reason it tends, possibly, to confuse—still the ground is thoroughly covered and some subjects lightly passed over by other writers, such as, for example, Land Office procedure, are very satisfactorily treated. From the practitioner's standpoint it may be noted that important subjects are passed over too hastily. Specific questions of difficulty are not clearly solved as the author seems to prefer to stand by the decisions, leaving undiscussed, questions that have not been decided by the Courts. It is to be deplored that we cannot find in the legal literature recently published, works that aim to meet future needs rather than merely digest past experience. Scientific discussion, rather than accepted doctrines, is what the practitioner of today is really looking for because with the admirable system of digests now available he prefers to examine the decisions for himself and draw his own conclusions therefrom as to what the accepted doctrines are, rather than to rely on the text writer.

The plan of the work, therefore, is what we would criticize rather than its execution. We must praise the arrangement and form, and the publishers' part of the task is admirably executed. While the student or practitioner should always be warned against placing too much reliance on the heavy typed head notes which are characteristic of the "Hornbook Series" we must commend the care with which this part of the work has been executed and as an index guide these head notes are very valuable. We are particularly glad to note a comparatively full discussion of the topic "Coal Land Law" which has been more or less ignored in recently published text books on the subject of mining.

The appendix, as in the case of nearly all the mining law text books, contains the Statutes relating to the subject and general miscellaneous matters. The Statutes, of course, are only of temporary value, owing to the changes constantly made in them. We find in Appendix I some sample mining law examination questions which indicate again the author's aim to make the work useful as a text book for students but, of course, these questions have no practical value to the practitioner.

In conclusion we can heartily recommend the work as a carefully prepared outline of the field which it aims to cover but we regret the absence of a scientific discussion of the basic principles.

H. A. S.